

LOUIS M. BUBALA III, ESQ.
Nevada State Bar No. 8974
ARMSTRONG TEASDALE LLP
50 W. Liberty St., Ste. 950
Reno, NV 89501
Telephone: 775.322.7400
Facsimile: 775.322.9049
Email: lbubala@armstrongteasdale.com

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Attorneys for Heritage Bank of Nevada

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re

RONALD EUEL BEVERS JR. and
BRENDA LEE BEVERS,

Debtors.

Case No.: BK-N-13-51461-BTB

Chapter: 7

**STIPULATION TO RESOLVE
MOTION FOR RELIEF FROM
AUTOMATIC STAY**

Hearing Date: 8/27/13

Hearing Time: 10:00 a.m.

Heritage Bank of Nevada ("Heritage"), Chapter 7 Debtors Ronald Euel Bevers Jr., and Brenda Lee Bevers ("Debtors"), and Chapter 7 Trustee W. Donald Gieseke ("Trustee") stipulate as follows:

1. On August 1, 2013, Heritage moved for relief from the automatic stay under 11 U.S.C. § 362 to exercise its state law rights against the real property owned by Debtors commonly known as 13000 Campo Rico Lane in Sparks, Nevada, commonly identified as Washoe County Assessor's Parcel Number 076-281-15, with a legal description of: "PARCEL 2 OF PARCEL MAP NO. 2029, FOR BROOKSIDE SAVINGS AND LOAN, ACCORDING TO THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE OF NEVADA, ON SEPTEMBER 26, 1986" ("Campo Rico") (Ct. Dkt. #14).

2. Cause exists to terminate the automatic stay under 11 U.S.C. § 362(d)(1) based on the prepetition agreement to vacate Campo Rico on or before July 1, 2013, before the bankruptcy was filed on July 23, 2013; Debtors' statement of intent to surrender Campo Rico; and the lack of equity in Campo Rico to benefit the estate.

1 3. The stay also may be terminated under 11 U.S.C. § 362(d)(2) because there is no
2 equity in Campo Rico, and Campo Rico is not necessary for an effective reorganization in this
3 Chapter 7 proceeding.

4 4. Therefore, the automatic stay under 11 U.S.C. § 362 is terminated upon the entry of
5 this Court's written order approving this stipulation and granting the motion for stay relief, such that
6 Heritage may exercise all its rights necessary to recover Campo Rico

7 5. The automatic stay also is annulled as to the post-petition recordings of the State of
8 Nevada's Foreclosure Mediation Program Certificate and the Notice of Sale. Notwithstanding the
9 annulment, Heritage shall withdraw the existing recordings of the State of Nevada's Foreclosure
10 Mediation Program Certificate and the Notice of Sale. Heritage may record them again and proceed
11 with its rights.

12 6. Cause exists to waive the 14-day stay of any order granting relief from and/or
13 annulling the automatic stay under Rule 4001(a)(3) as detailed in the motion, and such stay shall be
14 waived with the stipulated order terminating the automatic stay.

15 Dated this 7th day of August, 2013

ARMSTRONG TEASDALE LLP

16 By: /s/Louis M. Bubala III
LOUIS M. BUBALA III, ESQ.

17 Attorneys for Heritage Bank of Nevada
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19 Dated this 7th day of August, 2013

LAW OFFICE OF MICHAEL C. LEHNERS

20 By: /s/Michael C. Lehnerns
MICHAEL C. LEHNERS, ESQ.

21 Attorneys for Debtors
22
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24 Dated this 7th day of August, 2013

CHAPTER 7 TRUSTEE

25 By: /s/W. Donald Gieseke
W. DONALD GIESEKE
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